

Craig Tregurtha
Managing Editor, The Times and The Sunday Times
1 London Bridge Street
London SE1 9GF

21st December 2016

Dear Mr Tregurtha

Complaint regarding article about car-dooring cyclists

I write on behalf of Cycling UK, the national cycling charity, to register a formal complaint about the columnist Rod Liddle's article that appeared (without a title above it) in The Sunday Times on Sunday 18th December 2016 page 21 referencing his support for "car dooring".

Our complaint relates partly to the IPSO code, but is primarily about the article's serious lack of taste. It is inflammatory and potentially dangerous. It is also deeply offensive to the bereaved relatives of those who have been killed as a result of this type of criminal offence.

When Transport Secretary Chris Grayling MP injured cyclist Jaiqi Liu by opening a car door in a manner that caused danger or injury to another person, he was committing an offence under [regulation 105 of the Road Vehicles \(Construction and Use\) Regulations 1986](#). Any breach of these regulations is an offence under [section 42 of the Road Traffic Act 1988](#). It is a 'strict liability' offence – in other words, there is no defence of committing it without intent to do harm.

Cyclists have been killed as a result of it. Teacher Sam Boulton died on July 27 this year – his 26th birthday – when a taxi passenger opened their car door in his path outside Leicester Station. Sam Harding (aged 25) was killed in 2012 on London's Holloway Road when driver Kenan Aydogdu opened his car door in his path, causing him to fall under an oncoming bus. Robert Hamilton (aged 76) died in 2014, also as a result of a car-dooring. I understand his widow is also sending you a complaint about Rod Liddle's article.

Yet Rod Liddle boasts of carrying this act out "repeatedly ... to try and catch one of them ... and send him flying." He would presumably argue that this is simply a "joke". However he is in fact legitimising the kind of unprovoked, irrational and potentially lethal violence which cyclists all-too-commonly face on Britain's roads. It concerns us that this is not in itself contrary to the IPSO Code. We will be writing separately to IPSO, raising our concerns about this.

We believe that the article does in fact breach the IPSO code by claiming, inaccurately, that "undertaking" [is] "a practice that, while not illegal, is discouraged by the Highway Code". It is true that Highway Code rule 163 (which applies to all road users) includes a bullet-point saying that one should "only overtake on the left if the vehicle in front is signalling to turn right, and there is room to do so". However the next bullet-point says: "If the queue on your right is moving more slowly than you are, you may pass on the left". In other words, left-hand "undertaking" in slow-moving or stationary traffic is no more "discouraged" for cyclists than it is for drivers. To give readers the contrary impression is simply inaccurate, and should be retracted.

However our complaint is more about the lack of taste in effectively legitimising, or indeed inciting, a violent crime which can be lethal. This is surely wholly contrary to the spirit of the Times Newspaper's excellent "Cities Fit for Cyclists" campaign, prompted by the serious injuries suffered by Mary Bowers, one of the paper's journalists. Mary was left minimally-conscious after being hit from behind by a lorry. It is a tribute to the Times's values that so many of the paper's staff, right up to the then editor James Harding, pulled together to mount such a powerful campaign for improved cycle safety.

It is in that spirit that I appeal to you to retract Rod Liddle's column and offer an apology, particularly to those injured or bereaved by the criminal act which Liddle appears to revel in.

However may I also request space in the paper to make the case that the offence itself carries inadequate penalties, given the potentially lethal harm it can cause? Cycling UK has long argued that there is a gap in the law that needs to be rectified. There is now an opportunity to do so, as part of a Government review of road traffic offences and penalties, which finally commenced earlier this month, following several years of campaigning by Cycling UK.

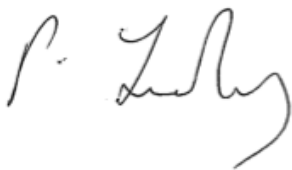
The offence of opening a car door such as to cause danger or injury to another person carries a maximum penalty of £1000. Yet in the aforementioned fatal cases, prosecutors were unable to charge those committing this act with either careless or dangerous driving, since opening a car door does not amount to "driving". In the case of Kenan Aydogdu, they attempted a charge of manslaughter, noting that his windows were covered in dark film, reducing their visibility to 17% of normal levels. However he was acquitted of this offence. The driver involved in the Robert Hamilton case received a penalty of just £305 for the lethal car-dooring offence. Yet regrettably, the offence of car-dooring is currently not within the scope of the review of road traffic offences and penalties referred to above. We believe this needs to be rectified.

In the circumstances, I hope you will agree that Rod Liddle's article cannot be left to stand as a "joke". It is inaccurate, it has the potential to incite criminal violence that could be lethal, and is deeply offensive to those who have been injured or bereaved by a crime which is apparently lauded by his article. I therefore trust you will agree to retract it and offer an apology for it.

We would also greatly appreciate the offer of some space in the paper to explain why the penalties for this offence need to be strengthened as part of the Government's recently-commenced review of road traffic offences and penalties.

I look forward to your response.

Yours sincerely,



Chief Executive
Cycling UK